

Exhibit 12



12/3/2021

UNITED STATES DISTRICT COURT
CENTRAL DISTRICT OF CALIFORNIA

NETLIST INC.,

Plaintiff,

v.

SAMSUNG ELECTRONICS CO.,
LTD.,

Defendant.

Case No. 8:20-cv-00993-MCS-ADS

VERDICT

VERDICT

We answer the questions submitted to us as follows:

QUESTION NO. 1:

Did Netlist prove that it suffered damages as a result of Samsung's failure to fulfill Netlist's orders for NAND and DRAM products in breach of Section 6.2 of the JDLA?

_____ Yes X No

If your answer to Question No. 1 is "Yes," then proceed to Question No. 2. If you answered "No," stop here, answer no further questions, and have the presiding juror sign and date this form.

QUESTION NO. 2:

What amount of damages did Netlist suffer as a result of Samsung's breach of Section 6.2 of the JDLA?

\$ _____

Proceed to Question No. 3.

QUESTION NO. 3:

Did Samsung prove that Netlist failed to use reasonable efforts to reduce or avoid any of the damages included in your answer to Question No. 2?

_____ Yes _____ No

If your answer to Question No. 3 is "Yes," then proceed to Question No. 4. If you answered "No," stop here, answer no further questions, and have the presiding juror sign and date this form.

1 **QUESTION NO. 4:**

2 State the amount by which the damages you specified in your answer to Question
3 No. 2 should be reduced.

4 \$ _____

5 *Sign and date this verdict form.*

6
7 Dated: 12/3/21

Signed: REDACTED

8 Presiding Juror
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